

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully requests reconsideration and allowance of the pending claims in light of the following remarks.

In the Office Action of May 11, 2007, the Examiner provisionally rejected claims 1 and 5-8, under non-statutory obviousness-type double patenting, as allegedly being unpatentable over claims 1-15 of co-pending Application No. 11/235,666 ("the '666 Application"); and provisionally rejected claims 1 and 5-8, under non-statutory obviousness-type double patenting, as allegedly being unpatentable over claims 1-7 of U.S. Patent No. 7,214,416 ("the '416 Patent"). The Examiner also indicated that claims 9-21 are allowed.

By this Amendment, no claims have been amended or cancelled. As such, claims 1, 5-8, and 9-21 are currently presented for examination of which claims 1, 5, and 9 are independent.

Regarding the rejections under non-statutory obviousness-type double patenting, while Applicants do not take a position with respect to the merits or substance of these rejections and preserve the right to distinguish over the cited references, which are commonly owned, Applicants submit herewith a Terminal Disclaimer in compliance with 37 C.F.R. §1.321(c) to overcome the rejections based on the '666 Application and '416 Patent. Accordingly, Applicants respectfully submit that these rejections have been rendered moot.

All matters having been addressed and in view of the foregoing, Applicants respectfully request the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number **033975**. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

**PILLSBURY WINTHROP
SHAW PITTMAN LLP**

By: 

E. R. HERNANDEZ
Reg. No. 47641
Tel. No. 703.770.7788
Fax No. 703.770.7901

Date: July 17, 2007
P.O. Box 10500
McLean, VA 22102
(703) 770-7900